

## **REMARKS**

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-62 are pending. Claims 4-5, 18-20, 29-37, 43, 47-48 and 52-60 are objected to but would be allowable if rewritten to overcome the objections. Claims 1-3, 6-17, 21-28, 38-42, 44-46, 49-51 and 61-62 stand rejected. In this response, claims 1-2, 4-5, 8-11, 14-16, 18-20, 24-41, 43, 45-62 have been amended. Claims 3, 6-7, 12-13, 17, 21-23, 42 and 44 have been canceled without prejudice. New claims 63-73 have been added. Thus, claims 1-2, 4-5, 8-11, 14-16, 18-20, 24-41, 43 and 45-73, as amended, remain pending. Support for the amendments can be found throughout the specifications as filed. No new matter has been added. Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

### **Amendments**

#### ***Amendments to the Claims***

#### **Objections**

##### **Claim 2**

Claim 2 is objected to because of informalities. In view of foregoing amendments, Applicant respectfully submits that the objection has been overcome. Accordingly, withdrawal of the objections is respectfully requested.

#### **Rejections**

#### ***Rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph***

##### **Claims 6 and 44**

Claims 6 and 44 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Independent claims 6 and 44 have been canceled without prejudice. Accordingly, withdrawal of the rejection is respectfully requested.

##### **Claims 7-17, 21-28, 45-46, 49 and 51**

Claims 7-17, 21-28, 45-46, 49 and 51 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for incorporating deficiencies of base claims 6 and 44. Claims

7, 12-13, 21-23 have been canceled without prejudice. Claims 8-11, 14-16 and 24-28 have been amended with base claim 1, as amended. Claims 45-46, 49 and 51 have been amended with base claim 40, as amended. In view of the foregoing amendments, it is respectfully submitted that claims 8-11, 14-16, 24-28, 45-46, 49 and 51, as amended, are definite in compliance with 35 U.S.C. §112, second paragraph.

***Rejections under 35 U.S.C. § 103(a)***

**Claims 1-3, 25, 38-42, 50, 61-62**

Claims 1-3, 25, 38-42, 50 and 61-62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over P. G. Richard, US Publication No. 2002/0073119 (hereinafter "Richard"). Claims 3 and 42 have been canceled without prejudice. However, Applicant respectfully submits that Applicant's claims 1-2, 25, 38-41, 50 and 61-62, as amended, are patentable over the cited reference.

Specifically, for example, independent claim 1, as amended, includes the limitations:

"generating a source document from an element of a structured document in a markup language, the source document replacing the element to update the structured document;  
building a document tree including a plurality of tree nodes associated with document elements from the source document and the updated structured document, wherein the document tree does not include the element;  
generating a plurality of new document trees from the document tree such that the plurality of new document trees are ordered and hierarchically linked, each new document tree including a plurality of new tree nodes associated with new document elements;  
determining sizing parameters for one or more new tree nodes of at least one of the new document trees; and  
producing, from the at least one of the new document trees, one structured data such that it is suitable for input to the browser to render in the browser device"

(emphasis added)

Applicants' amended claim 1 includes the limitations of generating a source document from an element of a structure document to replace the element for updating the structured document in a markup language. It is respectfully submitted that Richard neither discloses nor suggests the above noted limitations.

Rather, Richard discloses a technique to translate information within a markup format using a script into output data in one of a plurality of markup formats (Richard, [0035], [0037]). Richard describes that input data in a markup language are received from at least one source and processed directly in the markup language to transform the input data into the one of the plurality of markup formats. Richard also teaches generating a tree of resulting document as a dynamic mode representing the content of the original data (Richard, [0049]). In Richard, content conversion is provided by applying tree theory to transform the tree representing a document via dynamic tree-to-tree transformation through conversion script (Richard, [0041], [0046], [0049]). However, Richard neither discloses nor suggests generating a source document from an element of a structure document to replace the element for updating the structured document in a markup language.

The Office Action states that “it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified to include the feature of scaling sizing attributes of each tree node of said new document trees since different target devices have different display sizes” (Office Action Page 5). Applicant does not disagree that different target devices may have different display sizes. However, it appears the Examiner alleges each tree node of a document tree is associated with sizing attributes. Applicant respectfully disagrees.

As discussed in Richard, a document that is correctly marked up may be represented as a tree characterized by branches and leaves according to a tree theory (Richard, [0041]). In particular, a document tree is described according to a “Document Object Mode” (DOM) specification of the W3C consortium (Richard, [0042]). Nowhere does DOM disclose or suggest sizing attributes associated with each tree node of a document tree. Nor does “branches and leaves” of a tree as characterized in the tree theory in Richard imply sizing attributes associated with a tree node. Furthermore, the Office Action fails to provide any support for sizing attributes associated with each tree node of a document tree. It would be impermissible hindsight to attach sizing attributes to each tree node of a document tree based on Applicant’s own disclosure.

In order to render a claim obvious, each and every limitation of the claim must be taught by the cited references. Therefore, in view of the foregoing remarks, it is respectfully submitted that independent claim 1, as amended, is patentable over Richard.

Independent claim 40, as amended, includes similar limitations as noted above. Therefore, for at least the similar reasons as discussed above, it is respectfully submitted that claim 40, as amended, is patentable over the cited references.

Given that claims 2, 25, 38-39, 41, 50 and 61-62, as amended, depend from and include all limitations of one of independent claims 1 and 40, as amended, Applicant respectfully submits that claims 2, 25, 38-39, 41, 50 and 61-62, as amended, are patentable over the cited references.

### **Allowable Subject Matter**

#### **Claims 4-5, 18-20, 29-37, 43, 47-48, 52-60**


Applicant notes with appreciation on the Examiner's assertion that claims 4-5, 18-20, 29-37, 43, 47-48 and 52-60 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. In view of foregoing amendments, Applicant respectfully submits that claims 4-5, 18-20, 29-37, 43, 47-48 and 52-60, as amended, are now in condition for allowance, and requests allowance of the claims.

## CONCLUSION

In view of the foregoing, Applicant respectfully submit the applicable rejections and objections have been overcome. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned at (408) 720-1624.

Respectfully submitted,

Date: April 30, 2007



Vincent WenJeng Lue  
vlue@pacbell.com

1484 Owen Sound Drive  
Sunnyvale, California 94087  
(408) 720-1624